

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
GREENSBORO DIVISION
1:22-CV-10

LYNN COWAN, as Administrator of the
Estate of William Lawrence Cowan,

Plaintiff,

v.

PHILIP H. LAVINE, MD,

Defendant.

**DEFENDANT'S AMENDED
PRETRIAL DISCLOSURES**

NOW COMES Defendant Philip H. Lavine, MD ("Dr. Lavine"), by and through undersigned counsel, pursuant to Rule 26(a)(3)(A) of the Federal Rules of Civil Procedure, and hereby submits the following amended pretrial disclosures (amendments are in *italics*):

1. Pursuant to Rule 26 (a)(3)(A)(i) of the Federal Rules of Civil Procedure, Dr. Lavine identifies the following witnesses that Dr. Lavine expects to call to testify at trial:
 - a. Philip H. Lavine, M.D.
 - b. Sally Johnson, MD
 - c. Brian Andrew Farah, MD
 - d. Gina Davidson-Habil
 - e. Trooper Dalton Barnhart
 - f. Barbara Carnett
 - g. Beverly Carr
 - h. James Michael Covington

- i. Lynn Cowan
- j. Tom Cowan
- k. Captain Mantrese Dodson
- l. Charles Floyd, LPN
- m. Susan A. Fortner, LPN
- n. Jennifer Hairsine
- o. Pam Keeran, LPN
- p. Jasmine Miles
- q. Susie Nelson, LPN
- r. Karen Russell, PA-C
- s. Chelsea Carrington Watkins, LPN

2. Pursuant to Rule 26(a)(3)(A)(ii) of the Federal Rules of Civil Procedure, Dr. Lavine expects to present by deposition, a transcript of the pertinent parts of the depositions and/or exhibits of the following witnesses:

- a. Trooper Dalton Barnhart
- b. Barbara Carnett
- c. Beverly Carr
- d. James Michael Covington
- e. Lynn Cowan
- f. Tom Cowan
- g. Captain Mantrese Dodson
- h. Charles Floyd, LPN
- i. Susan A. Fortner, LPN

- j. Jennifer Hairsine
- k. Pam Keeran, LPN
- l. Dr. Philip Lavine
- m. Jasmine Miles
- n. Susie Nelson, LPN
- o. Karen Russell, PA-C
- p. Chelsea Carrington Watkins, LPN

3. Pursuant to Rule 26(a)(3)(A)(iii) of the Federal Rules of Civil Procedure, Dr. Lavine identifies the following documents that may be offered as exhibits at trial:

- a. Medical records of William Cowan produced in discovery.
- b. Jail records of William Cowan produced in discovery.
- c. Policies and procedures concerning provision of mental health services at Alamance County Detention Center produced in discovery.
- d. Enlargement of any identified exhibit.
- e. Enlargement of jury instructions.
- f. Enlargement of deposition testimony.
- g. Chart/medical illustration.
- h. Plaintiff's responses, including supplemental responses, to discovery requests of former co-defendants, including all documents produced (*and original documents, including all pleadings*).
- i. Responses of former co-defendants to discovery requests of Plaintiff.

- j. All discovery exchanged in this matter, including any documents produced by Plaintiff and former defendants, and any documents produced by third-parties (*including expert reports and all documents relied on in preparation of same*).
- k. Any exhibit listed in Plaintiff's Pretrial Disclosures.
- l. Any document necessary for impeachment.

Respectfully submitted this 15th day of November, 2023

HALL BOOTH SMITH, P.C.

/s/ *Katherine W. Dandy*

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CERTIFICATE OF SERVICE

I hereby certify that **DEFENDANT'S AMENDED PRETRIAL DISCLOSURES** were filed electronically with the Clerk of Court using the CM/ECF system and were served electronically upon the parties below:

Mr. Carlos E. Mahoney
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Respectfully submitted this 15th day of November, 2023

HALL BOOTH SMITH, P.C.

/s/ Katherine W. Dandy

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